

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

UNITED STATES OF AMERICA

Criminal No: 3:20-727-MGL

v.

**PLEA AGREEMENT ADDENDUM**

KEVIN MARSH

STATE GRAND JURY OF SOUTH CAROLINA

SOUTH CAROLINA

v.

**PLEA AGREEMENT ADDENDUM**

KEVIN MARSH

**Addendum**

Per Paragraph 3(b) of the Plea Agreement, the parties agree that amount of federal criminal forfeiture and/or state criminal restitution is \$5,000,000. The parties further agree that the Defendant will pay \$3,000,000 of this amount as determined at or before sentencing and will pay the remaining balance in conformance with the conditions of supervised release, as directed by the United States Probation Office. The parties amend this subparagraph to: the Defendant agrees to provide the \$5,000,000 amount to his attorneys by the date of the entrance of the Defendant's plea. The \$5,000,000 will be held in escrow

by counsel until its appropriate disbursement per the instructions by the state of South Carolina.

Per Paragraph 8 of the Plea Agreement, the parties agree that if the Defendant cooperates and otherwise complies with all the terms and conditions of the Plea Agreement, and his cooperation is deemed by the United States as providing substantial assistance in the investigation or prosecution of another person, the United States will file a motion for a downward departure pursuant to U.S.S.G. § 5K1.1, and pursuant to such motion, the United States, the State of South Carolina and the Defendant, agree that the appropriate sentence is a sentence of 24 months (irrespective of any fines and/or forfeitures), to be served in the Federal Bureau of Prisons, followed by concurrent terms of supervised release.

In the federal proceeding, the United States and the Defendant agree that 24 months is the appropriate disposition of the case, per Federal Rule of Criminal Procedure 11(C)(1)(c).

In the state proceeding, the State of South Carolina and the Defendant agree that this negotiated sentence will be ten years in prison, suspended upon a state sentence of 24

months, the balance of the 10 years is suspended with three years' probation. The state sentence is concurrent to the federal sentence and Defendant's active incarceration is to be served exclusively in the federal Bureau of Prisons. Defendant shall receive full credit against this state sentence for time incarcerated in the federal Bureau of Prisons. The three years' probation will be concurrent to and subsumed within federal supervised release.

Per Paragraph 16 of the Plea Agreement, this Addendum represents a modifications of Paragraphs 3 and 8, "in writing signed by all parties." No other provisions of the Plea Agreement are to be modified by this Addendum.

2/24/21

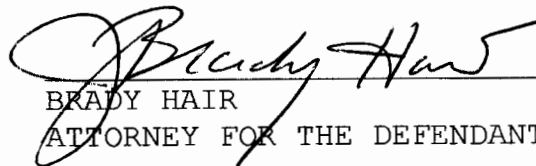
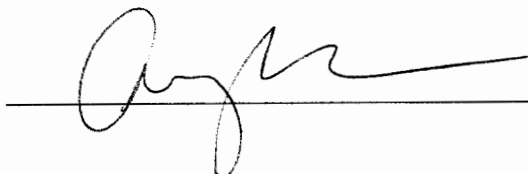
DATE



KEVIN MARSH, DEFENDANT

2/24/21


DATE

  
BRADY HAIR  
ATTORNEY FOR THE DEFENDANT2/24/21

DATE

ANNE TOMPKINS  
ATTORNEY FOR THE DEFENDANT

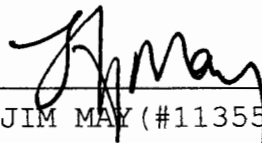
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DATE

  
ROBERT BOLCHOZ  
ATTORNEY FOR ~~THE~~ DEFENDANT

PETER M. MCCOY, JR.

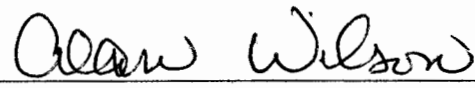
UNITED STATES ATTORNEY

2/24/21  
DATE

  
JIM MAY (#11355), BROOK ANDREWS,  
WINSTON HOLLIDAY, EMILY LIMEHOUSE  
ASSISTANT UNITED STATES ATTORNEYS

ALAN M. WILSON  
SOUTH CAROLINA ATTORNEY GENERAL

2/24/21  
DATE

  
DONALD J. ZELENKA, S. CREIGHTON WATERS  
DAVID FERNANDEZ  
ATTORNEYS FOR STATE OF SOUTH CAROLINA